

**CITY OF CONCORD PLANNING BOARD
February 18, 2015 MEETING**

The regular monthly meeting of the City Planning Board was held on February 18, 2015, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

Present at the meeting were Chair Drypolcher, Members Champlin, Hicks, Lavers, Regan, Rosenberger, Smith-Meyer and Woodfin. City Planner Larson, Ms. Shank and Ms. Murray of the City's Planning Division were also present.

At 7:00 p.m., a quorum was present and the Chair called the meeting to order.

Determination of Completeness (no public testimony will be taken)

1. Application by Terrain Planning and Design LLC on behalf of Todd Hayward/Phenix Mutual Fire Insurance Co., requesting Major Site Plan approval for the demolition of an existing building, construction of a new parking lot, and reconstruction of an existing parking lot at 42 Pleasant Street and 11 Blake Street, within the Civic Performance (CVP) District. Map/Block/Lot: 36-5-10 & 36-5-4 (2015-0006)

Ms. Larson recommended that the application be determined complete and set for public hearing.

Mr. Lavers moved to determine the application complete and set it for a public hearing on March 18, 2015. Ms. Smith-Meyer seconded the motion. Motion passed 6:1 with Councilor Champlin opposing.

PUBLIC HEARINGS

Architectural Design Review Applications

2. Applications by the following for approval of signs at the following locations under the provisions of Section 28-9-4 (f), Architectural Design Review, of the City of Concord's Code of Ordinances:

The Chair opened the public hearings for all the sign applications.

- a. Application by Latchis Properties LLC, on behalf of Willow Mauck, requesting Architectural Design Review Approval for one (1) new 4 sq. ft. non-illuminated affixed sign, at 55 South Main Street, within the Central Business Performance (CBP) District. MBLU: 34-5-2

Ms. Larson stated the ADR committee recommended approval as submitted. She stated there was very little discussion except that the Code Division would confirm whether the sign will be affixed or hanging. She stated this can be addressed as late as when they file for the sign permit. Ms. Smith-Meyer questioned the location of the building and the placement of the sign. She stated the application seems incomplete. Ms. Larson stated this is what was submitted to the Code Division and ADRC made the recommendation based on the sign sketch. Ms. Larson stated placement of the sign would be determined by Code and the ADRC looks at the aesthetics of the sign. Ms. Smith-Meyer stated without the information of location and placement, she feels Planning Board is just rubber-stamping Design Review.

Chair Drypolcher asked if the applicant was present. The applicant was not present. Mr. Hicks noted the applicant was not present at the ADR meeting.

Ms. Smith-Meyer moved to table Architectural Design Approval for one (1) new 4 sq. ft. non-illuminated affixed sign, at 55 South Main Street as submitted by the applicant until additional information is received from the applicant and/or Code Division regarding the sign placement. The Board requests a photo of the building and a detailed description of how and where the sign will be affixed. Councilor Champlin seconded the motion. Motion carried unanimously.

- b. Application by The City of Concord, requesting Architectural Design Review Approval for one (1) replacement 106.5 sq. ft. internally illuminated freestanding sign, at 15 Loudon Road (Douglas Everett Arena), within the Institutional (IS) and the Open Space Residential (RO) Districts. MBLU: 114-3-1

Phil Bilodeau, Deputy Director of General Services, was present to speak to the application. Ms. Larson stated that the applicant did receive a variance for the square footage of the sign. She stated that this location is unique compared to other Institutional Zoning Districts as it is adjacent to a Gateway Performance District. Signs of this dimension are permitted across the street. The reasoning behind granting the variance is that this is a very public place needing to attract public attention on a very busy street and the additional height was necessary to attract people coming off the highway. Referring to the ADRC minutes Ms. Larson stated the ADR Committee made several recommendations for revisions. Discussion ensued about the Arena's contractual agreement with the three businesses listed on the sign.

Mr. Lavers moved to grant Architectural Design Approval for one (1) replacement 106.5 sq. ft. internally illuminated freestanding sign, at 15 Loudon Road as submitted by the applicant with the recommendations to reorganize the lower panel of the sign that displays the three tenants in the building to make their names more visible by removing the web addresses and placing more focus on the business name, and to reorganize the business logos for more readability by staggering their locations. Mr. Woodfin seconded the motion. Motion carried unanimously.

Request for Amendments to Conditions of Approval

- 3. Application by Ashwood Development Companies requesting an amendment to Special Condition #11 on the Planning Board approval granted May 31, 2006 which reads; "Prior to the issuance of a Certificate of Occupancy for the 26th unit in the development, a roundabout shall be designed and constructed at the intersection of Manor Road and Abbott Road, including sidewalks within the intersection." (2005-67)
 - a. Public Hearing
 - b. Deliberations and Action on the Application

The Chair opened the public hearing.

Carl Kasierski, Vice President Ashwood Development Companies, was present. Ms. Larson stated the application which came before the Planning Board in June had been withdrawn and the applicant has since meet with Planning Staff to further tweak the recommendations. Ms. Larson gave the background of the project. Planning Board granted conditional final subdivision approval for a three phased single-family cluster condominium development near Manor Road on May 31, 2006. The application was approved with eight standard conditions and eight special conditions. The applicant proceeded to address the pre-construction conditions of the subdivision approval and the plans were subsequently recorded in the Merrimack County Registry of Deeds. Construction commenced on project infrastructure and the first homes prior to the most recent recession. To date, the private streets and utilities in Phase 1 of the project have been completed except for final paving and curbing. Portions of the Phase 2 private streets and utilities have been completed, except for final paving, curbing,

landscaping and a section of sidewalk on Richmond Drive. Housing units in both Phase 1 and Phase 2 have been completed or are under construction. On May 18, 2011, the Planning Board approved an extension request of the subdivision approval for Phase 2 until May 31, 2014, and Phase 3 until May 31, 2016. The applicant has completed 23 of the 63 approved homes and four (4) additional houses are under construction. The maximum number of Certificates of Occupancy that may be issued prior to the roundabout construction and City acceptance is 26 units, so one of the units under construction won't be able to receive a CO.

The applicant requests that construction of the roundabout be tied to issuance of a CO for the 40th unit in the development. Ms. Larson explained that the City's requirements for roundabouts have changed since the initial approval. The City Engineer has advised that the construction plans for the roundabout prepared in September of 2006 need to be updated to reflect current standards for roundabout design. The changes are not major but do require modifications to most of the ten sheets which make up the approved construction plans. The applicant has agreed to revise the plans. There is a bond in place for the construction.

Ms. Smith-Meyer asked about the planting of street trees and noted the conversation of planting the trees as the houses were being occupied rather than at the end of the project. She reiterated the need for mature trees in the development. Ms. Larson stated she believes this is still proceeding and Ms. Aibel, Associate City Engineer, has gone out to the site to monitor progress.

The Chair asked if members of the public had any comments or questions on the application. There being no comments from the members of the public, the Chair closed the public hearing.

Ms. Smith-Meyer moved to grant an amendment to Special Condition #11 on the Planning Board approval granted May 31, 2006 which reads; "Prior to the issuance of a Certificate of Occupancy for the 26th unit in the development, a roundabout shall be designed and constructed at the intersection of Manor Road and Abbott Road, including sidewalks within the intersection." as recommended by staff subject to the following conditions:

The previous approval and its extension shall remain in full force and effect. The following existing conditions are revised as follows:

1. Prior to the release of a financial guarantee for any public improvement, an as-built plan shall be provided to the City Engineer in a form and content acceptable to the City Engineer.
2. Prior to the issuance of a Certificate of Occupancy for the 43rd unit in the development, a roundabout shall be constructed at the intersection of Manor Road and Abbott Road according to the design approved by the City Engineer and the Clerk of the Board, including sidewalks within the intersection.
3. Prior to the issuance of a Certificate of occupancy for the 26th unit in the development, the roundabout shall be redesigned to the satisfaction of the City Engineer and the Clerk of the Board. *Prior to construction of the roundabout, the updated cost of construction shall be financially secured to the satisfaction of the City Engineer and the Clerk of the Board. The existing financial surety to guarantee construction of the roundabout shall remain in full force and effect until replaced with the updated surety.*
4. Prior to the issuance of a Certificate of Occupancy for the 45th unit, the common recreation areas shall be complete.
5. Traffic and recreation impact fees (school impact fees for the Merrimack Valley School District sun-setted on January 1, 2015) shall be assessed for any construction on lots contained within this approved subdivision during the time period that the roundabout improvements are not in the

Capital Improvement Program. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Title IV, Subdivision Code: Chapter 29.2, Public Capital Facilities Impact Fee Ordinance. The specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees; Table 2, Recreational Facilities Impact Fee per Variable Unit; and Table 3, Transportation Facilities Impact Fee per Variable Unit.

- a) Recreational Facilities – Single Family Residence
- b) Transportation Facilities - Single Family Residence

Mr. Regan seconded the motion. Motion passed unanimously.

Site Plan Applications

- 4. Application by Foxfire Property Management, on behalf of NH Charitable Foundation, requesting Minor Site Plan and CUP approval for a parking lot expansion at 37 Pleasant Street, within the Civic Performance (CVP) District. Map/Block/Lot: 36-7-1 & 36-7-8 (2015-0003)
 - a. Determination of Completeness
 - b. Public Hearing
 - c. Deliberations and Action on the Application

Ms. Larson recommended that the application be determined complete and the public hearing opened.

Mr. Lavers moved to determine the application complete. Mr. Regan seconded the motion. Motion passed unanimously.

The Chair opened the public hearing.

Nicole Duquette, TF Moran, Paul Cole, Foxfire Property Management, and Diane King, Director of Human Resources, NH Charitable Foundation were present to discuss the project. Ms. Duquette presented the new concept. The applicant initially requested final approval of an application and conditional use permit to expand an existing parking lot for NH Charitable Foundation by adding eight parking spaces for compact vehicles at the October 15, 2014 Planning Board hearing. That request was denied by the Board.

The applicant proposes construction of ten compact parking spaces on an abutting lot (36-7-1) owned by them. Five existing parking spaces will need to be eliminated or re-configured for a net increase of six total parking spaces. The NH Charitable Foundation currently provides 26 parking spaces. The proposed parking expansion will increase the number of parking spaces to 32 spaces total which brings the site into conformance with the parking requirements of the Zoning Ordinance. The existing parking lot will also be restriped. A conditional use permit is required to allow for 10 compact parking spaces where only 6 are permitted. Ms. King stated four foot rhododendrons are proposed for the area along Wall Street. Ms. King stated there are currently 37 staff members so they are short spaces with the current 26 available. Mr. Cole stated they send memos to staff on occasion when others will be using the parking spaces for meetings etc., of where offsite parking is permitted. Ms. King stated that flexible schedules and working from home are other available options for the staff at times.

Discussion regarding landscaping, carpooling and egress from the lot ensued. Planning staff will approve the planting screen on Wall Street once finalized.

The Chair asked if members of the public had any comments or questions.

Mr. Gregory Banks, 10 Wall Street, spoke. Mr. Banks expressed concerns regarding the lighting which affects his property. He stated that the Planning Board had urged the applicant to work with abutters at the October meeting but that did not happen. Mr. Brooks noted that he has not seen the parking lot full. He also stated the cars parked in the lot do back out into the street. He stated the snow removal is horrible.

There being no further comments from the members of the public, the Chair closed the public hearing.

Mr. Lavers moved to grant Conditional Use Permit pursuant to Articles 28-7-6 and 28-7-11(d) of the Zoning Ordinance to permit compact parking spaces to make up 31% of the total number of parking spaces (32 spaces including the proposed expansion) whereas 25% is the maximum permitted. In parking lots containing fifty (50) or more spaces, Article 28-7-11(d) of the Zoning Ordinance allows the Board to increase the percentage of spaces devoted to compact vehicles to a proportion of up to 50% of the total. Mr. Hicks seconded the motion. Motion passed 6:1 with Ms. Smith-Meyer opposing.

The Board requests that the applicant work with Mr. Banks on the issues brought up.

Mr. Hicks suggested striking staff's proposed condition of approval #7 and letting the applicant deal with traffic issues internally and adding a condition reading "The applicant shall work with staff to add additional landscaping to Chesley Street to address abutter concerns regarding lighting; staff will decide the extent of the plantings." Chair Drypolcher asked staff to look into the traffic issues.

Mr. Lavers moved to grant Minor Site Plan approval for the expansion of an existing parking lot for NH Charitable Foundation by adding ten (10) parking spaces for compact vehicles, subject to the following precedent conditions to be fulfilled prior to issuance of any building permits or the commencement of site construction, unless otherwise specified:

1. The lot merger form to consolidate Lot 36-7-1 with Lot 36-7-8 shall be filed with the Planning Division for endorsement by the Board and recording at the Merrimack County Registry of Deeds. Said recording number is to be added to the Site Plan as well as the Reference Plans.
2. Should the Board vote to modify or deny the requested Conditional Use Permits, the site plan shall be revised accordingly.
3. The applicant shall address to the satisfaction of the Engineering Division, review comments received in a memo from Laura Aibel, PE and Jeff Warner, PE dated February 11, 2015. (See attached).
4. Prior to commencement of construction activity, payment of inspection fees in an amount approved by the City Engineer shall be made.
5. Any waiver(s) or Conditional Use Permit(s) granted are to be noted and fully described on the plan including date granted and applicable citations.
6. The applicant shall provide to the City Solicitor a financial guarantee for the site stabilization in an amount approved by the City Engineer, and in a form acceptable to the City Solicitor.
7. The applicant shall work with staff to add additional landscaping to Chesley Street to address abutter concerns regarding lighting; staff will decide the extent of the plantings.
8. The applicant shall address the Planning Staff Technical Comments.

The following general and subsequent conditions:

1. A pre-construction meeting shall be required prior to the start of any construction activities onsite. Prior to the pre-construction meeting, seven copies of the final approved site plan shall be provided to the Planning Division for endorsement by the City Engineer as "approved for construction."

2. Prior to use of the new parking spaces, as-built drawings shall be provided to the City Engineer in accordance with Section 12.09 of the Site Plan Review Regulations. The as-built drawings shall be surveyed on NH State Plane coordinates and NAVD 88 Datum.
3. Prior to commencement of construction related activities, digital information shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information System (GIS) and tax maps. The information shall be submitted in accordance with Section 12.08 of the Site Plan Review Regulations and all information shall be converted to a vertical datum of NAVD 88.

Planning Staff Technical Comments

1. General and/or Subsequent conditions are to be noted on the recordable plan sheet.
2. The landscape plan (sheet 7 of 11), grading, drainage, and erosion control (sheet 5 of 11), and the site layout plan (sheet 4 of 11) as applicable, are to be revised to show one of the four screening options pursuant to Article 28-7-10 of the Zoning Ordinance and to the satisfaction of the planning staff.
3. According to plan notes, Lot 36-7-10 was previously merged with Lot 36-7-8. Therefore, all references made to Lot 10 shall be removed from the plan.
4. We believe that the reference to plan "Note 8" regarding merged lots 36-7-8 & 36-7-10, Sheet 2 of 11 is intended to refer to Note 3.
5. Proposed parking spaces for compact vehicles only are to be conspicuously designated as reserved for compact automobiles by a sign in accordance with Article 28-6-3(e) of the Zoning Ordinance. Applicable sheets to be revised to show proposed signage for each compact vehicle parking space and a sign detail added to the detail sheets.
6. Add a legend(s) to the plan sheets as necessary for clarification of symbols and graphics depicted.
7. Revise the cover sheet to replace "Public Works" with "General Services" and add contact information for the Engineering Division.
8. Note 7, Sheet 2 of 11 to replace "xx" with "Merrimack".
9. Plan sheets to be revised to show the extension of vertical granite curbing by the applicant to fill in the gap along the Chesley Street frontage (former driveway location for 36-7-1). Engineering Division to sign-off on the final installation of curbing.
10. Add a note to all applicable plan sheets that the existing parking areas will be re-striped.
11. Plans are to be revised to indicate that Chesley Street is a one-way street and the direction of travel.
12. While not required for parking lot light fixtures that do not exceed 15 ft. above finished grade, staff recommends that specifications be added to the lighting plan (sheet 6 of 11) to demonstrate that the proposed light fixture will be full cut-off.

Mr. Hicks seconded the motion. Motion passed 6:1 with Ms. Smith-Meyer opposing.

Subdivision Plan Applications

5. Application by Mark L. Boucher & Michelle M. Boucher and of Mark Boucher on behalf of Ann M. Theroux for Minor Subdivision approval for a lot line adjustment between 137 Elm Street and an adjacent vacant parcel, within the RM (Medium Density Residential) and RO (Open Space Residential) Districts. Map/Block/Lot: 15P-12 & 15P-14 (2014-0067)
 - a. Determination of Completeness

- b. Public Hearing
- c. Deliberations and Action on the Application

Ms. Larson recommended that the application be determined complete and the public hearing opened.

Mr. Lavers moved to determine the application complete. Councilor Champlin seconded the motion. Motion passed unanimously.

The Chair opened the public hearing.

Mr. Joe Wichert was present to speak to the application. The applicants request a lot line adjustment between 137 Elm Street and an adjacent vacant parcel (existing barn on lot). The area would then be subdivided to create a new lot (Lot 2) for a single-family home. The balance of "Parcel A" would be merged with #137 Elm Street (Boucher). Both parcels are outside of the Urban Growth Boundary and are not served by municipal sewer or water.

The Chair asked if members of the public had any comments or questions. There being no comments from the members of the public, the Chair closed the public hearing.

Mr. Lavers moved to grant a waiver to Section 12.08(1) of the Subdivision Regulations regarding property lines and a full boundary survey for Lot 15P-12. Ms. Smith-Meyer seconded the motion. Motion passed unanimously.

Mr. Lavers moved to grant a waiver to Section 12.08(3) of the Subdivision Regulations regarding a survey of existing topography for Proposed Lot 1, Proposed Lot 2, Parcel A, and Lot 15P-12. Ms. Smith-Meyer seconded the motion. Motion passed unanimously.

Mr. Lavers moved to grant a waiver to Section 12.08(5) of the Subdivision Regulations requiring the location of all wetlands for Proposed Lot 1, Proposed Lot 2, Parcel A, and Lot 15P-12. Ms. Smith-Meyer seconded the motion. Motion passed unanimously.

Mr. Lavers moved to grant final approval to the lot line adjustment and subdivision plan for Mark L. & Michelle M. S. Boucher and Ann M. Theroux with the following precedent conditions to be fulfilled within 2 years and prior to endorsement of the final plans by the Planning Board Chair and Clerk, unless otherwise specified:

1. The Licensed Land Surveyor shall sign and seal final plans and mylar.
2. Applicant to submit two checks for recording the plan at the Merrimack County Registry of Deeds (including a separate check in the amount of \$25.00 for the LCHIP fee). Both checks are to be made payable to the Merrimack County Registry of Deeds.
3. Any waiver(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(s) of the Subdivision Regulations. Should the Board vote to deny the waiver request(s), applicant shall comply with said submission requirement(s).
4. Address to the satisfaction of the Engineering Division, review comments received in a Memo from Laura Aibel, PE and Jeffrey Warner, PE dated February 4, 2015 (see attached).
5. Any General and/or Subsequent conditions are to be noted on the recordable plan sheet.
6. Address the Planning Staff Technical Comments (see below).

Planning Staff Technical Comments

1. Plans to be revised to shift the well radius for Proposed Lot 2 to eliminate any overlap with the public right-of-way of Elm Street.
2. Plans to be revised to note that all parcels lie outside of the Urban Growth Boundary.
3. Plans to be revised to note that all parcels will be served by individual on-site septic and well.
4. Plans to be revised to note the minimum frontage requirements and the amount of frontage provided for each lot.

. Ms. Smith-Meyer seconded the motion. Motion passed unanimously.

6. Application by Nathan Kopczynski & Stephanie Huckins and of Mark Dunn, Esq. on behalf of Jo-Ann Kanter requesting Minor Subdivision approval for a lot line adjustment between 18 Roger Avenue and 3 Davis Street, within the Neighborhood Residential (RN) District. Map/Block/Lot: 72B-1-24 & 72B-1-23 (2015-0004)

- a. Determination of Completeness
- b. Public Hearing
- c. Deliberations and Action on the Application

Ms. Larson recommended that the application be determined complete and the public hearing opened.

Mr. Hicks moved to determine the application complete. Councilor Champlin seconded the motion. Motion passed unanimously.

The Chair opened the public hearing.

Attorney Mark Dunn was present to speak to the application. The applicants request a lot line adjustment between 3 Davis Street (Lot 23), and 18 Roger Avenue (Lot 24). A total of 324 square feet of land (Parcel "A") will be transferred from 18 Roger Avenue to 3 Davis Street, bringing the entirety of the driveway accessing the Davis property onto 3 Davis Street, and removing the need for the access easement from 18 Roger Avenue. Both parcels are developed with single-family homes and are zoned Neighborhood Residential.

The Chair asked if members of the public had any comments or questions. There being no comments from the members of the public, the Chair closed the public hearing.

Ms. Smith-Meyer moved to grant waivers to Section 12.08(4) of the Subdivision Regulations requiring soils mapping, Section 12.08(5) of the Subdivision Regulations requiring the location of all significant natural features including, but not limited to, ledge outcroppings, streams and water bodies, wetlands, bluffs and ravines, and steep slopes in excess of 15%, Section 12.08(22) of the Subdivision Regulations requiring location of buildings, driveways, wells, etc. on abutting properties to be shown, Section 12.08(23) of the Subdivision Regulations requiring tabulations for proposed impervious surface coverage, useable area rectangles, etc., Section 15.03(1) of the Subdivision Regulations requiring location of buildings, driveways, wells, etc. on abutting properties to be shown, Section 15.03(11) of the Subdivision Regulations requiring existing sewer rim and invert elevations, Section 15.03(13) of the Subdivision Regulations requiring the size and location of existing water pipes, and Section 15.03(15) of the Subdivision Regulations requiring the size and location of other utilities. Mr. Lavers seconded the motion. Motion passed unanimously.

Ms. Smith-Meyer moved to grant final subdivision approval to the lot line adjustment plan for Jo-Ann Kanter, Nathan E. Kopczynski & Stephanie S. Huckins with the following precedent conditions to be fulfilled within 2 years and prior to endorsement of the final plans by the Planning Board Chair and Clerk, unless otherwise specified:

1. The Licensed Land Surveyor shall sign and seal final plans and mylar.
2. Applicant to submit two checks for recording the plan at the Merrimack County Registry of Deeds (including a separate check in the amount of \$25.00 for the LCHIP fee). Both checks are to be made payable to the Merrimack County Registry of Deeds.
3. Any waiver(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(s) of the Subdivision Regulations. Should the Board vote to deny the waiver request(s), applicant shall comply with said submission requirement(s).
4. Address to the satisfaction of the Engineering Division, review comments received in a Memo from Laura Aibel, PE, Jeffrey Warner, PE, and Paul Gendron, LLS dated February 4, 2015 (see attached).
5. The existing access easement over 18 Roger Avenue for benefit of 3 Davis Street to be noted and shown on the plan, including the book and page number.

Councilor Champlin seconded the motion. Motion passed unanimously.

7. Application by Richard D Bartlett & Associates, on behalf of Anthony Ladds, requesting Minor Subdivision and CUP approval of a lot line adjustment between 16 Second Street (a vacant lot) and 18 Second Street and a subdivision of 18 Second Street into two single-family residential lots, within the Single Family Residential (RS) District. Map/Block/Lot: 77C-1-5 & 77C-1-2 (2015-0005)
 - a. Determination of Completeness
 - b. Public Hearing
 - c. Deliberations and Action on the Application

Ms. Larson recommended that the application be determined complete and the public hearing opened.

Mr. Lavers moved to determine the application complete. Ms. Smith-Meyer seconded the motion. Motion passed unanimously.

The Chair opened the public hearing.

Mr. Mark Sargent, Richard D Bartlett & Associates, was present to speak to the application. The applicant first requests a lot line adjustment between 18 Second Street (containing a single-family home) and the vacant lot (Lot 5) immediately to the west (also owned by the applicant). According to the plan, 2,860 SF would be annexed from 18 Second Street to the adjacent vacant lot (Lot 2) which would increase in area from 0.31 acres to 0.38 acres, and increase in frontage from 119.5 linear feet to 150 linear feet. The second request consists of a proposed subdivision of 18 Second Street (Lot 2) into two lots whereby 18 Second Street (shown as Proposed Lot 1) would be reduced from 5.51 acres to 1.37 acres and a new 4.07 acre lot would be created.

The Chair asked if members of the public had any comments or questions. There being no comments from the members of the public, the Chair closed the public hearing.

Mr. Lavers moved to grant Conditional Use Permit pursuant to Section 28-7-8(b) and 28-7-11(f) of the Zoning Ordinance is requested to permit the proposed driveway easement on Lot 5 to be constructed approximately thirty (30) feet from an existing driveway on the adjacent lot under separate ownership, whereas forty (40) feet is required. Ms. Smith-Meyer seconded the motion. Motion passed unanimously.

Mr. Lavers moved to deny Conditional Use Permit pursuant to Section 28-7-8(b) and 28-7-11(f) of the Zoning Ordinance is requested to permit two (2) driveways on a lot with approximately 150 feet of frontage, whereas 250 feet of frontage is required. Ms. Smith-Meyer seconded the motion. Motion passed unanimously.

Mr. Lavers moved to grant a waiver to Section 19.05 of the Subdivision Regulations, Usable Lot Area Rectangle. Mr. Hicks seconded the motion. Motion passed unanimously.

Mr. Lavers moved to grant final approval to the minor subdivision plan for Anthony L. Ladds with the following precedent conditions to be fulfilled within 2 years and prior to endorsement of the final plans by the Planning Board Chair and Clerk, unless otherwise specified:

1. The Licensed Land Surveyor shall sign and seal final plans and mylar.
2. Applicant to submit two checks for recording the plan at the Merrimack County Registry of Deeds (including a separate check in the amount of \$25.00 for the LCHIP fee). Both checks are to be made payable to the Merrimack County Registry of Deeds.
3. Any waiver(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(s) of the Subdivision Regulations. Should the Board vote to deny the waiver request(s), applicant shall comply with said submission requirement(s).
4. Draft Sewer Easement and Common Access Easement (to the water), and Sight Distance Easement language to be submitted for review and approval by the City Solicitor's office. Upon approval, executed easement deeds to be submitted for recording.
5. Address to the satisfaction of the Engineering Division, review comments received in a Memo from Laura Aibel, PE, Jeffrey Warner, PE, and Paul Gendron, LLS dated February 4, 2015 (see attached).
6. Address the Planning Staff Technical Comments (see below).

the following general and subsequent condition are also placed on the approval:

1. Prior to the issuance of a building permit for Lots 1 or 5, Traffic, Recreation and School Impact Fees shall be assessed for any construction within this approved subdivision. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Title IV, Subdivision Code: Chapter 29.2, Public Capital Facilities Impact Fee Ordinance. The specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees, based on the methodology in place at the time the fees are assessed; Table 1, School Facilities Impact Fee; and Table 2, Recreational Facilities Impact Fee; and Table 3, Transportation Facilities Impact Fee.
 - a. School Facilities – Single Family Residence.
 - b. Recreational Facilities – Single Family Residence.
 - c. Transportation Facilities – Single Family Residence.

Planning Staff Technical Comments

1. A construction detail depicting how the gas, electric, water, and sewer utilities will be located within the thirty (30) foot easement on the west side of Lot 5 shall be added to the plan and approved by the Engineering Division.
2. Plans shall be revised to include an easement for the portion of the 12.5 width required (from the centerline of the water main on Lot 1) that encroaches onto Lot 5.
3. The plan and table to be revised to show the correct calculation for Useable Lot Area for Lot 5.
4. Applicant to submit written confirmation (email is sufficient) from the City Assessing Department that the existing tax map and lot number assigned to 18 Second Street is allowed to be reassigned to the proposed lot.

Mr. Hicks seconded the motion. Motion passed unanimously.

8. Request by the State of NH Administrative Services to construct a new building to house a biomass (woodchip) boiler; including a 75' smoke stack and a woodchip storage bunker (enclosed within boiler building) at 27-29 Hazen Drive in the IS (Institutional) District. Map/Block/Lot: 114D/1/1 (2014-0062) ***Postponed from the December 17, 2014 Planning Board meeting.***

a. Public Hearing

The Chair opened the public hearing.

Mr. Michael Connor, Deputy Commissioner, DAS, and Ken Nathanson, Director of National Accounts, Steve Manuel, Energy Engineer, Bob Vent, Construction Manager, and Beverly Kowalik, Senior Engineer were present to speak to the application.

Mr. Connor gave an overview of the project. The Department of Administrative Services proposes to construct a 1 ½ story biomass (woodchip) boiler to provide heat to 27-29 Hazen Drive, located at the State office complex. The front (southerly side) of the proposed facility will have one-story exposed while the rear (northerly side) of the building will have two-stories exposed. Access to the building would be via an existing driveway that runs along the northerly side of 27-29 Hazen Drive (on the side of the parcel that faces I-393). Two overhead doors on the front of the building will enable deliveries of woodchips to the chip bin located on the lower level. A second proposed driveway for the facility would provide access to the lower level (rear) of the building where the chip bin and boiler are located. An existing grassed island that runs parallel to the parking lot that serves the main entrance to 27-29 Hazen Drive will be modified to allow for deliveries of woodchips. Mr. Nathanson presented a PowerPoint presentation. The stacks have been approved by FAA and no special conditions or lighting are necessary. Construction should take about 9 months. They do not anticipate any night or weekend construction. There will be no blasting or rock hammering.

Ms. Smith-Meyer asked for landscaping. She feels that the DES parking lot should have landscaping. She stated that the insignificant amount of money shade trees would cost and the impact it would have on the campus is so important especially in light of the proposed project. Mr. Connor stated they would try to do that but they have not had great success because of the salt and snow.

Mr. Hicks asked how the tractor trailers would arrive and depart from campus. Mr. Connor replied that working with the neighbors to see what's best is their priority. They are concerned with traffic going on East Side Drive and the preference is to have them use Loudon Road.

The Chair asked if members of the public had any comments or questions. There being no comments from the members of the public, the Chair closed the public hearing.

Staff offers the following non-binding review comments (Staff to follow-up with a letter addressed to the applicant listing the comments and any other remarks made by the Board):

1. Pursuant to RSA 674:54, activities associated with this submission may not commence until 60-days following the December 17, 2014 Planning Board meeting.
2. Address all review comments submitted by the Engineering Division to their satisfaction (see attached review memo from Jeffrey Warner, PE and Laura Aibel, PE dated December 3, 2014).
3. Prior to any construction/earth moving activities on the site, the NHDAS to coordinate with the Engineering Division and any other appropriate Divisions/Departments to hold a pre-construction meeting and pay inspection fees.
4. Final plans to be stamped and signed by all appropriate professionals licensed in the State of New Hampshire.
5. All sediment and erosion controls identified on the Site Plan (Sheet C101) should be in place prior to any site related activities taking place.
6. The missing details for the Construction Schedule noted on Sheet C500 should be filled in.

7. All references to the permits and Best Management Practices and erosion controls for the State of Maine (see Sheet C101) shall be replaced with State of New Hampshire references.
8. The proposed modifications to be made to the curbed island in front of the main entrance to 27-29 Hazen Drive, particularly the removal of the existing curbing, be clarified on Sheet C101.
9. Application by TF Moran on behalf of NH Department of Corrections requesting Major Site Plan approval for Phase 2 of the Women's Correctional Facility to construct an approximately 113,000 SF, 224 bed correctional facility. The project includes construction of the main building (offices, classrooms, & medical treatment), a wellness building, a recreation building, and two dormitory buildings as well as parking areas (170 spaces total), drainage, lighting, and other associated site improvements. (2015-0007)

- a. Public Hearing

The Chair opened the public hearing.

Theodore Kupper was available to speak to the application. The DOC is proposing to construct a correctional facility for women to the rear of its current men's facility located at 281 North State Street; the relocation/expansion of the women's facility is a move mandated by the courts, with the location chosen by the Legislature. Tree clearing took place last summer but did not require Planning Board approval. The DOC commenced earthwork activities in August 2014, which resulted in approximately 20 acres (871,000) sq. ft. of disturbed area. The project site consists of three parcels of land, 102/2/11, 102/2/12, & 102/2/13 and has a cumulative area of greater than 160 acres. The properties are bordered by North State Street and commercially used properties to the east; Call Street and residential dwellings and the Calvary Cemetery to the south; state land to the west; and residential dwellings and city owned land to the north. The existing men's correctional facility comprises approximately 27 acres of the site along North State Street. The 113,000 ± sq. ft. women's facility will be constructed to the rear of the men's facility. The preparation of the subgrades was considered Phase 1 of the project, with Phase 2 being construction of the facility, associated parking, final grading and drainage, etc.

Access to the proposed facility would be via the existing driveway leading into the men's prison at the signalized intersection off of North State Street. The DOC proposes to construct 170 parking spaces. A visitor parking lot will be constructed to the southerly side of the proposed facility. Staff parking is proposed behind (to the east) of the main building.

The project includes construction of the main building (offices, classrooms, & medical treatment), a wellness building, a recreation building, and two dormitory buildings arranged around a central courtyard and walkway system. Prisoners will be delivered to the northerly side of the main building and removed from the vehicle once inside the sally port. Future tennis courts are shown immediately to the north of residential Building C2.

The Chair asked if members of the public had any comments or questions. There being no comments from the members of the public, the Chair closed the public hearing.

Staff offers the following non-binding review comments (Staff to follow-up with a letter addressed to the applicant listing the comments and any other remarks made by the Board):

1. Pursuant to RSA 674:54, activities associated with this submission may not commence until 60-days following the February 18, 2014 Planning Board meeting.
2. A drainage study confirming that Phase 1 and Phase 2 will not impact the City's storm drain system along North State Street should be submitted to the City's Engineering Division for review and approval prior to commencement of Phase 2 activity.

3. Prior to any Phase 2 activities on the site, the NHDOC to coordinate with the Engineering Division and any other appropriate Divisions/Departments to hold a pre-construction meeting and pay inspection fees.
4. Final plans to be stamped and signed by the Certified Wetlands Scientist, Engineer, and Licensed Land Surveyor.
5. All sediment and erosion controls should be in place and stabilized prior to any significant activities taking place that benefit/rely upon from installation of said controls.
6. Plan size to not exceed 24" x 36". Match lines should comply with Section 16.02(10) of the Site Plan Regulations.
7. Please remove the duplicate Sheet No. 2-C-7.4 from the plan set.
8. Please add building dimensions and typical walkway dimensions to the plan sheets, as appropriate.
9. The following sheets are missing from the plan set – Sheets 2-C-3.1 (Site Layout Plan Courtyard Area) & 2-C-4.0 (Grading & Drainage Plan), Sheet ES103 (Point to Point Calculations, a.k.a. photometric lighting plan). Sheet 2-C-3.0 (Site Layout Plan) was submitted as a loose sheet; staff recommends that it be incorporated into the plan set in the order noted on the "Drawing List" on the cover sheet.

REGULAR MEETING

10. Approval of the minutes of the January 21, 2015 Planning Board Meeting.

Mr. Hicks moved to approve the January 21, 2015 Meeting as written. Mr. Lavers seconded the motion. Motion carried unanimously.

11. Designation of two representatives to the Central New Hampshire Regional Planning Commission (CNHRPC) *Continued from the January 21, 2015 Planning Board meeting.*

Continued to the February 18, 2015 Planning Board Meeting since Ms. Foss was absent from the meeting.

12. Any other business which may legally come before the Board.

INFORMATION

- Minutes of the February 10, 2015 Design Review Committee meeting
- Next regular monthly meeting on Wednesday, February 18, 2015

There was no further business to come before the Planning Board and the Chair adjourned the meeting at 10:10 pm.

A TRUE RECORD ATTEST:

Nancy Larson
City Planner